

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:22-cv-00016-FDW-DSC

SHANTAL TOLBERT,

Plaintiff,

vs.

ALLSTATE FINANCIAL & AGENCY,
MARK MYER, JOHNATHAN SCOTT, ROY
MASTERS, PETER FRONTIERO, AND
KRISTIN VIDD,


Defendants.

ORDER

THIS MATTER is before the Court on Plaintiff's "Pro SE Motion to Refile," (Doc. No. 8), filed pro se on April 21, 2022, in response to this Court's dismissal of the Complaint on February 28, 2022 (Doc. No. 5, 6). The Motion is DENIED as untimely and because even if the Court were to accept Plaintiff's statement regarding the amount in controversy, Plaintiff still has not shown diversity among the parties here sufficient to confer subject matter jurisdiction over Plaintiff's claims. See 28 U.S.C. § 1332. As noted in the Court's original order, (Doc. No. 5, p. 2), this ruling is WITHOUT PREJUDICE to Plaintiff's ability to file a new action in state court, if she so chooses.

IT IS SO ORDERED.

Signed: April 25, 2022


Frank D. Whitney
United States District Judge